

ENVIRONMENTAL HEARINGS OFFICE

Minutes of Meeting

April 20, 2009

9:00 a.m.

The April 2009 meeting was called to order by Chair Kathy Mix in the Boards' office in Lacey, Washington. Present were Chair Kathy Mix, Board Members Andrea McNamara Doyle and William Lynch, Administrative Appeals Judges Kay Brown, Phyllis Macleod and Cassandra Noble, Administrative Manager Robyn Bryant, Hearings Coordination Debbie Joblonski and Administrative Secretary Janet Buechler. Minutes of the March 2009 meeting were read and approved as amended.

Handouts were distributed for review which included the pollution, shoreline, forest practice, hydraulic, and environmental and land use appeals filed, a brief summary of all cases that have closed and the Case Statistics Report.

Appellate Update

Chair Kathy Mix reported that there were no new Superior Court Appeals filed since the last meeting in March. It was noted that the Phase I and Phase II (S-4) appeal before King County Superior Court had been settled by the parties and dismissed by the Court and the *Herman v. Ecology* Court of Appeals case which was previously unpublished had now been published.

Financial Update

Robyn Bryant reported that as of March 31st the Environmental Hearing Office is still within budget. She stated that the Westlaw contract is up for renewal and will be examined for possible savings along with other library savings issues.

Kathy reported that there are no definitive budget updates on either the House or Senate versions of the EHO budget for the next biennium. There was a short discussion on possible effects of budget cuts under either version of the bills.

CLE Attendance

Phyllis Macleod recapped her attendance at a storm water CLE conference in Seattle. Andrea McNamara Doyle will be speaking at the WSBA Mid-Year Meeting in Chelan April 23rd and 24th.

Miscellaneous Clerical Issues

Debbie Joblonski reported on calendar and database issues concerning manually changing the presiding member's name in the instance of mediation.

A Document Filing Information Sheet which will be sent out with the initial scheduling order was tentatively approved pending any further review and edits by the Board Members and Judges.

Cassandra Noble requested input regarding removing parties from the original caption after they had been dismissed. This issue was tabled until the next meeting pending gathering further information.

Additional Business

A draft of the EHO Policy – Decision Making and Opinions was presented by Kathy Mix. There was a discussion and it was agreed that the issue would be postponed until the May meeting to allow time for outside Board Members to review and comment on the policy.

Kathy announced that the Extern originally set to join us in June has decided to work elsewhere for the summer. Andrea agreed to follow up on other candidates.

Kudos were given to the Board Members, Judges and Staff by Kathy for help with the current Shorelines Hearings Board legislation.

Meeting adjourned.

Janet Buechler
Administrative Secretary